

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTIONE L. ARDDS,

Plaintiff,

v.

KENNETH MARTIN, et al.,

Defendants.

No. 2:20-cv-00133-TLN-KJN

ORDER

Plaintiff, a state prisoner proceeding *pro se*, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

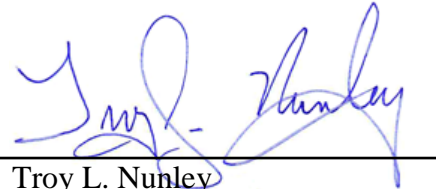
On April 28, 2022, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 43.) Plaintiff filed objections to the findings and recommendations. (ECF No. 44.) Defendants did not file a reply.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations filed April 28, 2022, (ECF No. 43), are adopted in full;
2. Defendants' Motion for Summary Judgment, (ECF No. 36), is GRANTED in part and DENIED in part;
3. Plaintiff's retaliation claims are DISMISSED without prejudice;
4. Plaintiff's state law claims are DISMISSED with prejudice; and
5. Within thirty days from the date of this Order, Plaintiff shall file a Second Amended Complaint raising only Eighth Amendment claims based on those allegations set forth in grievance CHCF-HC-20-000548 against only those individuals who were part of the IDTT referenced therein.

DATED: July 18, 2022


Troy L. Nunley
United States District Judge